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FROM: XAVIER PILLAI
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EXTENSION NO.: 221

TO: EXAMINER CALLIE E. SHOSHO
GROUP 1700
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C.

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IN RE APPLN. OF: LEIDNER ET AL.
SERIAL NO. 09/828,219
FILED: APRIL 9, 2001
FOR: ERASABLE COLORED PENCIL LEAD
GROUP ART UNIT: 1714
EXAMINER: CALLIE E. SHOSHO

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PATENT
Attorney Docket No. 209391/B&S # 9/for

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

01.28.03

In re Application of:

LEIDNER et al.

Application No. 09/828,219

Art Unit: 1714

Filed: April 9, 2001

Examiner: Callie E. Shosho

For: ERASABLE COLORED PENCIL
LEAD

SUPPLEMENTAL RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

On January 3, 2003, Applicants filed a response to the Office Action dated July 5, 2002, and indicated that a Rule 132 Declaration would be provided shortly.

Applicants now enclose a Declaration Under 37 CFR § 1.132 from David Hacker. As set forth in paragraphs 5-7 of the Declaration, U.S. Patent 5,595,589 (Hoshiba et al.) fails to provide a disclosure adequate to enable a person of ordinary skill in the art to make and use an erasable colored pencil lead, and the lead disclosed in Hoshiba et al., if prepared following the (inadequate) teaching, does not produce an erasable mark.

The application is in good and proper form for allowance.

Respectfully submitted,



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